

WOOD, HERRON & EVANS, L.L.P.

JOHN D. POFFENBERGER
 BRUCE TITTEL
 DONALD F. FREI
 DAVID J. JOSEPHIC
 DAVID S. STALLARD
 J. ROBERT CHAMBERS
 GREGORY J. LUNN
 KURT L. GROSSMAN
 CLEMENT H. LUKE, JR.
 THOMAS J. BURGER
 GREGORY F. AHRENS
 WAYNE L. JACOBS
 KURT A. SUMME
 KEVIN G. ROONEY
 KEITH R. HAUPT
 THEODORE R. REMAKLUS
 THOMAS W. HUMPHREY
 SCOTT A. STINEBRUNER
 DAVID H. BRINKMAN

OF COUNSEL
 THOMAS W. FLYNN

2700 CAREW TOWER
 441 VINE STREET
 CINCINNATI, OHIO 45202-2917
 TELEPHONE: 513-241-2324
 FACSIMILE: 513-421-7269
 EMAIL: info@whepatent.com

PATENT, TRADEMARK, COPYRIGHT
 AND UNFAIR COMPETITION LAW
 AND RELATED LITIGATION

EDMUND P. WOOD	1923-1968
TRUMAN A. HERRON	1925-1976
EDWARD B. EVANS	1936-1971

JOSEPH R. JORDAN
 C. RICHARD EBY

DAVID E. PRITCHARD
 J. DWIGHT POFFENBERGER, JR.
 BEVERLY A. LYMAN, PH.D.
 KATHRYN E. SMITH
 KRISTI L. DAVIDSON
 P. ANDREW BLATT, PH.D.
 DAVID E. JEFFERIES
 WILLIAM R. ALLEN, PH.D.
 JOHN P. DAVIS
 DOUGLAS A. SCHDLER
 BRETT A. SCHATZ
 ALLISON A. DAVIDSON
 MICHELLE D. NOBBE
 DAVID W. DORTON
 RONALD J. RICHTER, M.D.
 SARAH OTTE GRABER

TECHNICAL ADVISORS
 HENRY M. LABODA, PH.D.
 LARRY D. MOORE, B.S.E.E.
 G. PRABHAKAR REDDY, M.S.CH.

June 12, 2002

FACSIMILE COVER SHEET

To: Examiner Cris Rodriguez

From: Kristi L. Davidson *KL*

Fax: 703/746-4878

Re: Our File: STSC-10

Pages: 2 (including cover sheet)

MESSAGE/COMMENTS**INFORMAL SUBMISSION FOR INTERVIEW PURPOSES****DELIVER TO EXAMINER CRIS RODRIGUEZ**

SERIAL NO. 09/156,276

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. OUR FAX NUMBER IS (513) 421-7269.

PROPOSED AMENDMENT FOR INTERVIEW PURPOSES ONLY**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

1. (Four Times Amended) A medical instrument comprising at least one memory metal tube of single-piece construction programmed for an effect selected from the group of effects consisting of memory effect and superelasticity and having in at least one section thereof a plurality of slots ^{monolithic to the metal tube} defining a retrieval basket such that the slotted retrieval basket section is capable of expansion and contraction to surrounding contact, capture and retrieve at least one particle.

* In re Larson *
unless there is a need. * (simplicity)

* ← + other ref. has integral on